

To: Renfrewshire Licensing Forum

On: 22 November 2017

Report by: Clerk

Heading: Review of Membership

1. Summary

1.1 The purpose of this report is to review the membership of the Renfrewshire Licensing Forum.

2. Recommendations

2.1 That the Forum considers proposals for a review of the Forum membership.

3. Background

3.1 In terms of Section 10 of the Licensing (Scotland) Act 2005, (the Act) local authorities are required to establish a local licensing forum, the purpose of which is to keep under review the operation of the Act in the forum's area and, in particular, the exercise by the Licensing Board of its functions.

3.2 In addition, the Forum is required to provide such advice and make such representations to the Licensing Board in relation to those matters as the Forum considers appropriate.

3.3 In terms of the Forum constitution, all applicants to be eligible must be aged 16 years or above; able to demonstrate an interest in the licensing system; and currently be employed in or be a duly appointed representative of the undernoted groups.

- Holders of premises licences and personal licences in Renfrewshire;
- The Chief Constable;
- Persons having functions relating to health, education and social work;
- Young people;
- Persons resident in Renfrewshire;
- The Scottish Fire & Rescue Service;
- A representative from the Alcohol & Drugs Forum.

The current membership of the Forum is: -

- Sergeant D McEwan (Police Scotland);
- Piero Pieraccini – Licence Holder;
- Claire Colquhoun – Licence Holder;
- David Leese/Fiona MacKay -Renfrewshire Health & Social Care Partnership;
- Rosemary White – Renfrewshire Health & Social Care Partnership;
- Peter MacLeod/Fiona Taylor/Paul Sale – Children’s Services;
- Ryan Watson – Young Person;
- Margaret Dymond – Local Resident;
- Shirley McLean – Local Resident;
- Hugh Cameron – Local Resident;
- Martin Brier – Licensing Standards Officer;
- Donna Reid - Alcohol and Drug Partnership;

3.4 As a result of a number of meetings failing to attract a sufficient quorum of members, a number of amendments to the membership have been suggested by the Alcohol and Drug Partnership and are detailed in Appendix 1 to this report.

3.5 The relevant legislation, Schedule 2 to the Act states, that there must be at least 5 Forum Members and not more than 21. It would therefore be competent for the Council to reduce the number of members on the Forum to 13. The Alcohol and Drug Partnership has suggested that there be “an ability to co-opt up to five additional members onto the group determined by the agenda”. The ADP expectation would be that co-opted members would not have any voting rights and would be invited to the meeting if there was a specific item on the agenda which required input from someone who had specialist knowledge/expertise in the subject matter. The co-opted member would attend the meeting on a short-term basis/or one off depending on the item being discussed. They may be asked to deliver a presentation or lead a discussion, as appropriate. There is no requirement under the Act in relation to co-opted members and it is suggested that it would be more appropriate for the Forum to invite guest speakers as and when required rather than establishing co-opted members.

3.6 The legislation does require that the Council must seek to ensure, in appointing Forum members, that as far as possible the membership is representative of the interests of persons/descriptions of persons who have an interest relevant to the Forum's functions. There is a list in Schedule 2 to the Act of persons who would specifically fall within those criteria.

3.7 The Fire and Rescue Service are not mentioned specifically in the legislation so it would be competent to remove Fire officers from membership. The Fire and Rescue Service has previously indicated that they are no longer able to attend due to operational pressures.

3.8 The legislation does specifically mention young people in the list. As such, the Council should seek to ensure, so far as possible, that the membership is representative of them. Accordingly it is not considered appropriate to remove this category

3.9 In relation to who else should serve on the Forum, it is a requirement that at least one member of the Forum is one of the Council's Licensing Standards Officers and that at least one of the members is nominated by the Health Board.

Implications of the Report

1. **Financial - None**
2. **HR & Organisational Development - None**
3. **Community Planning – None**
4. **Legal - None**
5. **Property/Assets – None**
6. **Information Technology – None**
7. **Equality & Human Rights -**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed

and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** - None
9. **Procurement** - None.
10. **Risk** - None
11. **Privacy Impact** – None
12. **COSLA Impact** - None

List of Background Papers

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Renfrewshire Licensing Forum

Proposal to amend the Terms of Reference – Membership of the Forum

The Renfrewshire Licensing Forum has been established in accordance with the requirements of the Licensing (Scotland) Act 2005. At the last meeting of the Forum it was agreed that the membership should be reviewed to reflect the current planning landscape in Renfrewshire and to improve attendance at future meetings. It is proposed that membership be reduced to 13 (currently 18) and remove certain categories due to the difficulties in engaging with young people and Scottish Fire and Rescue Service, who no longer has the capacity to attend meetings. The quorum for a meeting will be 7. The proposed membership is detailed below.

Proposed	
Categories of Membership	
Licensing Trade	X 3
Local residents	X 3
Renfrewshire Health and Social Care Partnership	X 2
ADP	X 1
Renfrewshire Council – Children’s Services	X 2
Renfrewshire Council – Licensing Standard’s Officer	X 1
Police Scotland	X 1
Ability to co-opt up to 5 additional members onto the group determined by the agenda	
Core membership	13
Quorum	7